

App

Commissioners Meeting

November 15, 2011 – 1:00 P.M. CST

Meeting called to order by President David Gogel. Parties present are as follows: Gogel, Logsdon, Toler, Board Attorney Lindsey, Auditor Donna J. Lynam, Superintendent Painter, and Engineer Lloyd.

Claims

Roof replacement at Reo, IN at the EMS building was completed and Toler inspected the roof and found it to be satisfactory. Other claims were election employees hired pay for the day, meal allowance and a training session. Toler made a motion to approve claims as stated. Logsdon seconded. All were in favor.

Minutes

Logsdon made a motion to amend the September 20, 2011 minutes to include an additional line under the Indiana 15 paragraph to read as follows: Spencer County Commissioner President Gogel executed a letter to Don West Environmental Management support for the support of Indiana 15 seeking a US EPA Community Wide Assessment Grant. Toler seconded. All were in favor.

SIHO

Logsdon made a motion to approve and execute an Administrative service agreement with Spencer County Employee Benefit Trust and SIHO Benefit Administrative services. Toler seconded. All were in favor.

Engineer

Engineer Lloyd stated that Patriot Engineering completed their testing on sample location County Road 1000, Number 1 – W. of CR 750W, Number 2 – W. of CR 700W, Number 3 – 6700 CR 200S, Number 4 – E of 6497 CR 200S, Number 5 – E of 6307 CR 200S and Number 6 – W. of CR 600W. Testing does conform to the specifications as to what the county requires. Engineer stated that next year county needs to purchase instrument that she or Superintendent Painter can test the pavement temperature as it goes down. If J.H Rudolph would supply a letter to the county as they did last year in stating they stand behind their work that would be sufficient. Bottom line: The testing passed. After we receive the bill we will pay the bill. Lloyd will contact J.H. Rudolph. Specs were discussed.

Lloyd stated they are working on information specifically in Villa Ova Sub-division and other areas that the commissioners have requested her to check into, as if we were to take in other roads and the cost effect to the county. This is just a study we are doing. No discussions have been made.

On another topic the Auditor's office called Lloyd last week about a road behind the South Spencer School. A party came into the Auditor's office and deeded over property to the county behind the South Spencer School owned by Embry. Basically, they wanted to give to the county a street/lane and have the county to maintain it. Then, the party came back in the Auditor's office and said I did not want to give you the 1- 2 acre lot I just wanted to give to you the street/lane parcel. Attorney Lindsey stated it is up to the commissioners if they wish to accept the deed in a meeting. It is not a completed gift unless the commissioners accept it. There has been no acceptance on this deed from the commissioners. There was further discussion. Logsdon asked to table this matter until further information. Lloyd will do some further research and what the cost is to maintain it in its current condition.

Spencer County Building Commissioner

Commissioners received a resignation letter from Jerry Bender effective December 31, 2011 due to health issues per his letter. Commissioners also received a letter from Phillip A. Brown November 15, 2011 requesting to apply for Spencer County Building Commissioner/Inspector for the year 2012 of which he had been an assistant for the past few years.

Man Lift Agreement

Attorney Lindsey prepared an agreement to defend, hold harmless, indemnify and insure the counties "Man Lift" between Spencer County Board of Commissioners, and the City of Rockport through its Parks Department for the City to use the Counties equipment which was executed on November 7<sup>th</sup> 2011 by the Mayor Harold Goffinet and City of Rockport Parks Department Christopher Fantini, representative.

Highway Department

Huffman Mill Bridge

Superintendent Painter stated he had a crew go up to the Huffman Mill Bridge to clean-up the brush and he stated he would replace the cables.

Tower

Superintendent Painter advised the Commissioners that he was contacted to excavate a 20

foot (deep) and 4 foot (diameter) hold for the I-Beam to be anchored in the ground. Meadors will be in later in the meeting so further discussion will be done at that time and Painter will be contacted.

#### Highway Annual Supplies Bids

Cindy Painter secretary of the County Highway department came in with the fuel bids one for gasoline and off-road diesel and on-road diesel. Base date is November 7<sup>th</sup> 2011. Bidders can go up or down but when the close of the contract they have to show proof at the time of signing why it went up or down.

Attorney Lindsey opened the bid packages.

#### Bid Package #1

<u>Name Bidder</u>	<u>Gasoline</u>	<u>Price/Gallon not incl. tax</u>
<i>Country Mark, Synergy partners</i>	Unleaded Gas 87 Octane 35,000 gal.	\$2.75 Flex \$2.98 Firm (as of November 8, 2011)
	On-road Diesel 23,000 gallons	\$3.34 Flex \$3.35 Firm
	Off-road Diesel 23,000 gallons	\$3.34 Flex \$3.35 Firm
<i>Ackerman Oil</i>	Unleaded Gas 87 Octane 35,000 gal	\$2.75 Flex \$3.09 Firm
	On-road Diesel 23,000 gallons	\$3.345 Flex \$3.805 Firm
	Off-road Diesel 23,000 gallons	\$3.35 Flex \$3.80 Firm
<i>Petroleum Traders Corporation</i>	Unleaded Gas 87 Octane 35,000 gal.	\$2.6612 Flex \$No Firm
	On-road Diesel 23,000 gallons	\$3.185 Flex \$No Firm
	Off-road Diesel 23,000 gallons	\$3.185 Flex \$No Firm

#### Bid Package #2

##### Crushed Limestone

##### **Mulzer Crushed Stone**

(Only Bidder)

##### *Rock*

<u>Tell City Yard/Rockport</u>	<u>Dale</u>
Size 53	\$12.25
Size 1, 2, 4, 5, & 7	\$12.35
Size 9	\$13.10
Size 11	\$14.45
Size 12	\$15.15
Rip-Rap	\$15.40

#### Bid Package #3

##### *Gravel and Sand*

Uncrushed road gravel	\$14.05	\$15.10
Uncrushed pea gravel	\$15.80	\$18.10
2324 Sand	\$ 8.30	\$10.90
Fill Sand	\$ 6.90	\$10.10

#### Bid Package #4

##### *Bituminous Material and Bituminous Services*

##### **Metzger Construction Company**

FOB Hot Mix Asphalt #5 or 5 B Base	\$56/Ton
#8 or #9 Asphalt Binder	\$57/Ton
Hot Mix Asphalt Surface #8, #9, #11	\$61/Ton

##### **E & B Paving**

FOB Hot Mix Asphalt #5 or 5 B Base	\$47.00/Ton
8# or #9 Asphalt Binder	\$52.50/Ton
Hot Mix Asphalt Surface #8, #9, #11	\$61.50/Ton

##### **J.H Rudolph**

FOB Hot Mix Asphalt #5 or 5 B Base	\$47.50/Ton St. Croix \$48.50/Ton Greenriver Rd.
8# or #9 Asphalt Binder	\$50.00/Ton St. Croix \$53.00/Ton Greenriver Rd.
Hot Mix Asphalt Surface #8, #9, #11	\$53.00/Ton St. Croix. \$59.75/Ton Greenriver Rd.

#### Package #5

##### Transplant Oil

*Marathon Petroleum Co.*

RS2 AE90	1.9590/gallon
AE150	2.059/gallon
AEPL	1.959/gallon
AEP	2.959/gallon

*Asphalt Materials Inc.*

RS2 AE90	1.9146/gallon
AE150	2.0146/gallon
AEPL	2.9146/gallon

#### Package #6

##### Culverts

*Metal Culverts Inc.*

Aluminize 12" / 16 gauge	18"	24"	48" / 12 gauge
\$9.43	\$14.10	\$18.87	\$65.08

*Saint Regis Culvert Inc.*

Aluminize 12" / 16 gauge	18"	24"	48" / 12 gauge
\$8.66	\$12.99	\$16.45	\$59.48

*CPI Supply (Prices incl. delivery to our location)*

Aluminize 12" / 16 gauge	18"	24"	48" / 12 gauge
\$10.58	\$15.86	\$20.99	\$71.09

Logsdon made a motion to take bids under advisement. Toler seconded. All were in favor.

##### Community Wide Grant

Scott Meadors came before the commissioners. Logsdon asked Meadors if our bid specs on the towers require the county garage to do the excavation. Meadors stated up to 6 feet the county will do the excavation. Meadors asked Gogel if he had any answers on the cost of the electric. Gogel stated that he spoke to the electric company on the cost and he was told that the cost it will be somewhere between \$9,500 and \$12,000 and that the electric company will work with the county on the cost. Work should begin soon. Meadors received 3 interested parties on the moving of the 180 foot tower. Attorney Lindsey and Meadors will get together on the bid packets. Discussion of the deadline for mailing the bids out will be November 28, 2011. Then on December 6<sup>th</sup> will be the opening of the bids. With the labor rates they discussed the radio building design. Prefab delivered building would be under \$10,000. The Electric fences that will go around the base of the tower will be put off until the first of the New Year. It appears we will be over the \$145,000 dollar budgeted amount. There was discussion on the securing of the base until we can afford to put the fencing up due to safety majors. It was recommended to have at least five foot high fencing. It was agreed to further check into the pre-fab radio building. Meadors stated he would need a concrete pad foundation poured. Painter was asked to pour the concrete pad foundation for the pre-fab radio building. Painter will prepare the foundation. Meadors will supply a claim for the \$35,000 grant match before the end of the year.

##### Clerk

Gay Ann Harney came before the commissioners in representation of the ABR to request the use of the court house for the ABR Christmas Arts and Crafts and the use of the Auditorium for Saturday, December 3, 2011 – December 4, 2011. Dean Bolin recalled Schulte requesting permission to use the Court House at last December meeting of the Commissioners in 2010. Logsdon made a motion to approve the use of the court house for this occasion as Harney described just in case the December 2010 minutes did not reflect the approval of this use. Toler seconded. All were in favor.

#### Indiana 15

##### EPA Brownfields Grant Application

Elliott Englert, Technical Services Assistant of the Indiana 15 Regional Planning Commission had sent a copy of the Application to the Commissioners previously for their review and input. Englert asked everyone present to sign in and took minutes of this meeting. The Grant application has been drafted and posted on the Indiana 15 website per Elliott. The Cleanup Grant funding amount requested is \$200,000. Logsdon asked Englert on the first page of the application first paragraph if he would reword the fourth sentence to read as follows: The property was abandoned, taxes were delinquent, and the county chose to acquire the site. Due date of the application is 11/28/11. Two miles down the Ohio River from this Brownfields site (known as the former United Energy facility) is the location of the Aquifer which provides water

for Troy, Grandview, Rockport and the North Spencer water project. Englert went over different sections of the application with the Commissioners.

#### Eck Mundy

Gary Mundy went over with the Commissioners the workstations throughout the court house each in detail for protection of data and security. Mundy advised Commissioners of one recommendation in the EMA office. It was discussed that previously the Commissioners had approved the purchase of Barracuda Firewall. After detailed discussion with Mundy and the review of the diagram that was given to them by Mundy they decided to not purchase the Barracuda Firewall. Mundy stated that after 4 years the workstations need to be replaced. Auditor's office is time to replace. EMA took the Assessors old server and is putting it to good use. Security from wireless sites was discussed last meeting. He did find one unsecure site which was the leg that EMA, VA, and Surveyors (DLink) office are on. There is a DLink cable on the right side on the diagram that is broken. It is turned on and through the Auditor's office he could go through into the EMA site. Mundy could get in the settings of their printers. It is a minimal security problem. Because it is in the basement no one from the street outside could access this site. Cloud was discussed for data back-up purposes. EMA needs to just turn off the DLink. Ten cables are running from the attic of which there is some research needed on the security of that. Filtering was discussed. Logsdon asked how often an overview of all workstations should be done. Mundy stated that annually this should be done. All of the systems that are being backed up should be tested annually to make sure they can be recovered. Mundy stated this is key. Request was made to get his invoice in before December 6<sup>th</sup> of this year. All of the departments being placed on one server is not possible per Mundy.

#### Dawn Lee- Upfront Computer Service

Lee was not present due to an emergency concerning her husband.

Meeting Recessed at 3:30 p.m.

Meeting Reconvened at 3:40 p.m.

#### Meeting Schedule/Paydays/Holidays 2012

Auditor presented meeting schedules, paydays and holidays for 2012. Commissioners discussed and decided to approve in January 2012.

#### Resolution 2011-15

Kendall Thompson presented Resolution 2011-15 to the Commissioners for their consideration. Thompson brought to the Commissioners attention that the United States Postal Services is studying a proposal to close the Lincoln City Post Office. Lincoln City Post Office in addition to providing postal services to the residents of Lincoln City serves as a very integral part of the Lincoln Boyhood National Memorial. The Post Office within the Memorial helps to ensure that the story of our 16<sup>th</sup> President's boyhood and how it contributed to his greatness as President remains relevant and accessible to all visitors. Logsdon made a motion to approve executing Resolution 2011-15 and that the Commissioners are opposed to the closing of the Post Office. Toler seconded. All were in favor. This coming year 2012 is Lincoln Memorial's 50<sup>th</sup> year Anniversary. Thompson stated that this coming year in July they will be having the 1962 Vehicle Parade along with a couple days of other events to commemorate the 50 year anniversary. The Rockport Parade will be December 3<sup>rd</sup> 2011 at 2 p.m. this year.

#### Legal Report

Attorney Lindsey stated that he prepared the Title Search -- First Philadelphia Independent Ministries, Inc. 74-02-04-300-018.000-001; 74-02-04-300-022.000-001; 74-02-04-300-023.000-001. He also provided his opinion of the Title Search. A notice will go out to the three interest holders of which the first will go out before December 7<sup>th</sup>, 2011. First Philadelphia Independent Ministries, Inc. will have 120 days to redeem the property. These documents were sent to SRI.

#### SRI

Tax Sale Certificate Sale documentation was presented to be executed to allow the additional 119 tax sale parcels to be on internet for two weeks. Notices will go out in December, 2011. After Internet Tax Certificate Sale county could have a live Tax Certificate sale before the May 10, 2012 tax due date. Internet sale would cost county 10% of parcels sold and a live sale would cost the county 15% of the parcels sold. Logsdon made a motion to approve the internet Tax Sale Certificate Sale.

Toler Seconded. All were in favor. Documents were executed. Auditor emailed scanned documents to Attorney Lindsey to be submitted to SRI.

#### AK Steel

AK Steel has paid in the 2.1 million to the Ice Miller Attorney checking account. Attorney Lindsey stated that we need to have an Executive Session at Lincoln Commerce Center, Conference room at 2 p.m. CST with the Economic Redevelopment Commission, Spencer County Commissioners, and Council. A Skype broadcast will be held in the conference room due

to Councilman Jack Kroeger being in Indianapolis, Indiana. Kroeger will be at the Ice Miller Attorney's office. Immediately after the Executive Session there will be a Public Meeting held at the same location.

Panic Buttons

Additional panic buttons were discussed.

Resolution #2011-16

Toler made a motion to adopt Resolution #2011-16 increased funding for E-911. Logsdon seconded. All were in favor.

Resolution #2011-17

Toler made a motion to adopt Resolution #2011-17 increased funding for local bridge and roads. Logsdon seconded. All were in favor.

Adjourned

Toler made a motion to adjourn at 4:05 p.m. CST. Logsdon seconded. All were in favor.

Board of Commissioners meeting adjourned at 4:05 p.m. CST

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President

Attest:

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Donna J. Lynam, Auditor